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28
**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

AMG Services, Inc. et al.,

Defendants, and

Park 269 LLC, et al.,

Relief Defendants.

Case No. 2:12-cv-536

**MOTION TO FILE
DOCUMENTS
UNDER SEAL**

1 Plaintiff Federal Trade Commission (“FTC”) moves, pursuant to the Confidentiality and
2 Protective Order (Docket No. 173), to file the deposition transcript of SFS, Inc. and attached
3 exhibits under seal. These materials will be filed as Exhibit A to the October 10, 2012
4 declaration of Nikhil Singhvi. The FTC also moves to file under seal its opposition to
5 Defendants’ emergency motion for protective order and cross motion to compel. A redacted,
6 public version will also be filed. The reasons for this motion are as follows.

7 On October 1, 2012, the Court ordered SFS, Inc. to appear for its deposition on October
8 4, 2012. (Docket No. 190 at 3.) The Court also ordered the FTC to file an expedited version of
9 the deposition transcript by October 10, 2012 at 4:00 p.m. (*Id.*)

10 During the October 4, 2012 deposition, SFS, Inc. requested that the entire deposition
11 transcript be deemed “Confidential” under the Confidentiality and Protective Order until SFS,
12 Inc. could review the final transcript and make specific “Confidential” designations. The FTC
13 agreed. Shortly before filing of the present motion, SFS, Inc. supplied approximately 25 specific
14 “Confidential” designations. Redaction of the transcript according to SFS, Inc.’s specific
15 designations was not feasible to meet the Court’s 4:00 p.m. filing deadline.

16 Solely to comply with the Court’s October 1, 2012 order and to preserve SFS, Inc.’s
17 designations, the FTC moves for leave to file the above-described materials under seal, with
18 redactions to its opposition and cross motion to the extent that specific portions of the transcript
19 designated as “Confidential” are discussed. As the party requesting “Confidential” treatment,
20 SFS, Inc. bears the burden of showing cause therefor. Until SFS, Inc. attempts to make that
21 showing, the FTC takes no position on whether any portions of these materials should remain
22 sealed and redacted.

1 Dated: October 10, 2012

2 Respectfully submitted,

3 /s/ Nikhil Singhvi

4 Nikhil Singhvi

5 Jason D. Schall

6 Julie G. Bush

7 Helen P. Wong

8 Ioana Rusu

9 *Attorneys for Plaintiff*

10 *Federal Trade Commission*

11
12 IT IS SO ORDERED.

13 

14 UNITED STATES MAGISTRATE JUDGE

15 DATED: 10-11-2012

CERTIFICATE OF SERVICE

I, Nikhil Singhvi, certify that the following individuals were served with the **MOTION TO FILE DOCUMENTS UNDER SEAL** by the method indicated below:

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5 Dated this 10th day of October, 2012.

/s/ Nikhil Singhvi

Nikhil Singhvi